

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

VICTOR GABOURY

v.

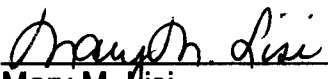
CA 08-319 ML

MICHAEL J. ASTRUE,
Commissioner of Social Security

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Martin on August 29, 2009. The Magistrate Judge recommends that Plaintiff's Motion to Reverse be granted and Defendant's Motion to Affirm be denied. Neither party has filed an objection to the Report and Recommendation. This Court has reviewed the Report and Recommendation, and agrees with the Magistrate Judge's conclusions and recommendations. Accordingly, the Report and Recommendation is adopted. Plaintiff's Motion to Reverse is GRANTED and the case is remanded for further administrative proceedings consistent with the findings set forth in the Report and Recommendation. Defendant's Motion to Affirm is DENIED.

SO ORDERED:



Mary M. Lisi
Chief United States District Judge
September 16, 2009